

U.S. DEPARTMENT OF STATE

DIRECTOR OF INTELLIGENCE AND RESEARCH

Research
Memorandum

RES-14, June 24, 1966

To : The Acting Secretary
Through: S/S
From : INR - Thomas L. Hughes *Thomas L. Hughes*
Subject: The Guyana-Surinam Boundary Dispute

This paper is a geographic assessment of the Guyana-Surinam boundary dispute, including conflicting territorial claims, but excluding internal political factors. It is prepared at the request of the Bureau of European Affairs.

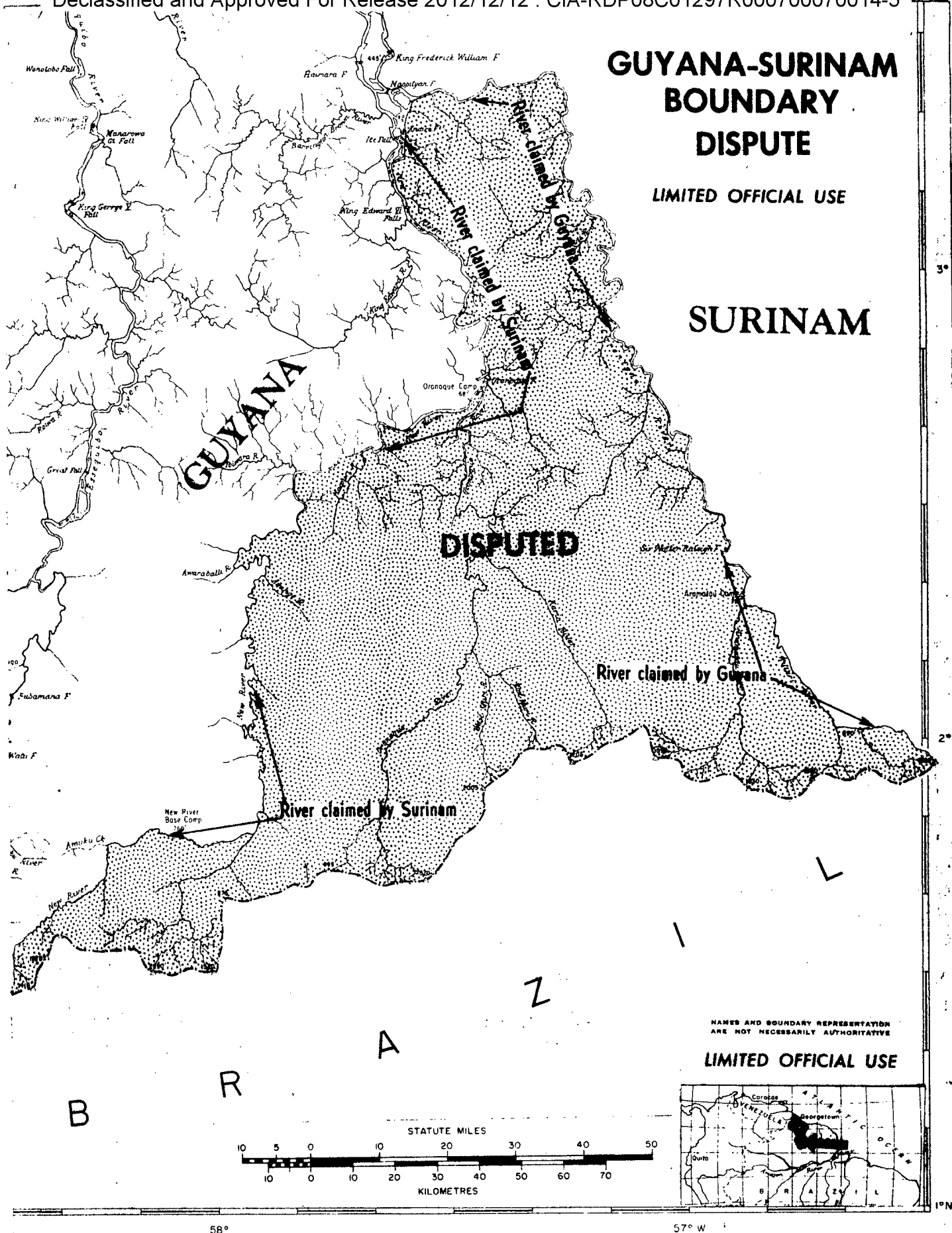
ABSTRACT

Prior to Guyana's independence, no international act was ever signed formally delimiting a boundary between Surinam and what was then British Guiana. The disputants, however, have accepted the left bank of the Courantyne River as the boundary for approximately 200 miles southward from the coast. What is in dispute involves the principal affluent of this river south to the Brazilian frontier. Geographic evidence supports the Netherlands' claim for the New River, while historical and legal precedents substantiate the British and Guyanese position favoring the Kutari River. The Guyanese claim suggests a firmer base in fact and law.

There are unconfirmed reports which indicate a willingness in Guyana to explore the possibilities of exchanging most of the disputed territory for electricity produced by Surinam's Kabelebo aluminum project or a change in the Courantyne section of the boundary from the left bank to a channel in the river. This action would permit Guyana to use the river for navigation and fishing. Thus, there is a basis for settlement.

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Downgraded at 12 year
intervals; not
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Historical Background

No international treaty, protocol or other agreement was signed delimiting a specific boundary between Guyana and Surinam before the former's independence. In 1799, however, the local governors of Berbice (Guyana) and Guiana (Surinam) apparently agreed that the Courantyne River formed the dividing line between the two territories. From 1831, the home governments of the Netherlands and of Great Britain also accepted this river as the boundary upstream from its mouth for a distance of approximately 200 miles. Some reservations were made as to the specific stream which formed its principal source. The boundary at this date was also agreed to be the high-tide mark on the west, or left, bank thus allocating the entire river to the Dutch colony of Surinam.

On the basis of explorations by Schomburgk in 1843, the headwater of the Courantyne was generally accepted for many years to be the Kutari (Koetari, Coeroeni, or Curuni) River. The discovery of the New River in 1871, however, weakened this agreement. This river, situated to the west of the Kutari, was eventually found to have approximately 75 percent greater flow than the Kutari. As a result, the Dutch slowly began to claim that the New River was the principal affluent of the Courantyne. However, the British retained their original position with regard to the Kutari. Involved in the dispute is a triangular-shaped region of approximately 15,000 square kilometers (5,800 square miles) in extent. It is bounded on the east by the Kutari River, on the west by the New River, and on the south by Brazil. The territory is virtually uninhabited, heavily forested, and possesses no known mineral deposits.

The earliest mention of the dispute is found in the 19th century, but the major problem is approximately 30 years old. The Dutch position that the New River was the definite source of the Courantyne hardened. The British Government, for historical reasons, refused to relinquish the territory which it had administered for so long. The Netherlands and the United Kingdom governments in 1939, after approximately five years of discussion, prepared a draft treaty to eliminate the boundary dispute. Paragraph I of the draft treaty stated:

(3) The river named by Schomburgk the River Kutari shall be considered to constitute the upper reaches of the River Courantyne, and the boundary shall follow the left bank of the principal course of the Kutari.

However, the outbreak of the war postponed any immediate action on the treaty and it was never signed.

After the war, the Kingdom of the Netherlands was radically reorganized. The former colonies became "associated" entities within the Netherlands realm and the home government was bound to hear all local opinions on actions which affected the overseas area. The territorial government of Surinam

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objected to any agreement with Britain which did not consider the New River to be the western boundary of Surinam. In turn the Netherlands Government has been reluctant to disregard the stated wishes of the local government.

On May 5, 1965 the Staten of Surinam renamed the New River as the Boven Corantijn, or Upper Courantyne, River. The United Kingdom Government protested this action only to draw the reply:

"The Staten of Surinam,
considering,

that the United Kingdom of Great Britain have the intention of granting independence to British Guiana, at any rate that negotiations to that end will be held in the near future:

that it is customary that the boundaries of such future independent territory be defined at the time of the granting of independence:

that the frontier between Surinam and British Guiana is established as of old:

that the upper reaches of the Courantyne were rightly renamed Upper-Courantyne ("Boven Corantijn") by the Government, by Territorial Decree of 5th May, 1965 (g.b. 1965, No. 45).

that the Government of the United Kingdom of Great Britain have protested against this;

that the Staten, representing the entire people of Surinam, are firmly convinced that the Government were fully entitled to act as they did;

that any possible fixation of the boundaries of British Guiana disregarding the sovereign rights of Surinam on its territory will be considered an unlawful act.

DECIDE:

to call upon the Government to do everything within their power to prevent any tampering whatsoever with the sovereign rights of the country and its territory, and proceed with the order of the day."

Adopted on October 7, 1965.

The Merits of Each Side

The British-Guyanese case is based upon continuous, undisturbed, and peaceful occupation of the disputed territory since the United Kingdom assumed control over Guiana in the early 19th century. It is rather difficult to dispute this type of prescriptive evidence. The position is further supported by the unsigned, but negotiated treaty of 1939 which delimited the boundary according to the United Kingdom claimed line.

In contrast, the Dutch position derives from the fact that the New River carries about 75 percent more water than the Kutari and hence should be considered the principal tributary or affluent of the Courantyne. However,

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there is no agreement among the boundary experts as to what constitutes this illusive item. As Holdich, the famous British Geographer, stated "... How are we to reckon up with the principal affluent? Is it the longest, or the widest, or the one which carries most water? Does it not occur to you that the solution of such a problem is almost hopeless?"

In its favor, the New River is definitely the longer of the two and it also carries more water. It is not possible, however, to determine on the basis of locally available maps if the New River is wider than the Kutari. Thus most, if not all, of the geographic evidence supports the Netherlands position that the New River is the principal affluent.

Is a Solution Possible?

Reports from Surinam and Guyana indicate that both sides wish to resolve the controversy.

There are unconfirmed reports that Guyana may be willing to consider negotiating an exchange of the disputed territory, or part of it, for half of the Courantyne River. In the south, the compromise boundary most mentioned has been the line of the New and Oronoque rivers. This frontier would cede approximately two-thirds of the disputed territory to Surinam. In exchange, the northern boundary should be shifted from the west bank to the median line of the river: Guyana should receive either a half of the Courantyne with rights of navigation or that part of the river west of the main navigation channel. The latter would guarantee navigation rights. In view of the nature of the river, the former alternative would probably be preferable. However, a detailed survey of the river would be necessary in either case, for the allocation of the many islands.

This change of boundary in the Courantyne would also eliminate certain problems currently faced by Guyana. The Courantyne represents the only logical means of transportation into the interior of eastern Guiana. As the border now exists Guyanese ships run the risk of being taken in tow by Surinamese authorities. Guyanese natives would also be able to fish in the river, gaining a potential source of scarce protein for their diets.

Another possibility for settlement involves the excess production of electricity from the Kabelebo development in Surinam. Guyana officials have mentioned they would be willing to discuss an exchange of the territory for approximately 50 percent of the power generated.

In either case, compromise solutions exist if the dispute can be kept in a relatively minor key. Should nationalistic chords be struck, however, a solution to the boundary problem will be difficult to attain.

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